

*Printed: July 1, 2011*



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, JULY 06, 2011  
5:30 P.M.**

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**CALL TO ORDER 5:30 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

**I. CALL TO THE PUBLIC**

**NO LEGAL ACTION PERMITTED** Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

## II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

### A. Approval of minutes of the following City Council meeting(s):

- |                 |   |                |
|-----------------|---|----------------|
| <b>APPROVED</b> | 1. Regular City Council Meeting         | April 6, 2011  |
| <b>APPROVED</b> | 2. Special Joint Worksession/Roundtable | April 12, 2011 |
| <b>APPROVED</b> | 3. Special Joint Worksession/Roundtable | April 26, 2011 |

### B. Approval of Staff Recommendations:

#### Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)
  
- APPROVED 2. Liquor License: (LL11-09) Tropicana Night Club**  
  
Approve an Interim Permit/Person Transfer of a Bar, #6, Liquor License application submitted by Mark Jeffrey Seward, agent for Tropicana Night Club, Inc dba Tropicana Night Club, 185 S. Main Street, Yuma, Arizona. (LL11-09) (City Administration/City Clerk) (Lynda L. Bushong)
  
- APPROVED 3. Sole Source Contract: Relocating Telecommunications Facilities**  
  
Authorize a sole source contract in accordance with the Yuma City Code, Section 36-39, Sole Source Procurement for Relocating Telecommunications Facilities in an amount estimated at \$62,707.00 to: Qwest Communications Company, LLC, Littleton, Colorado. (Engineering - Bid #2011000438) (Paul Brooberg)

**APPROVED 4. Cooperative Purchase Agreement: 2011 Chevrolet Tahoe K9 Units**

Authorize the purchase of two 2011 Chevrolet Tahoe vehicles by utilizing a cooperative agreement originated by the State of Arizona at a total cost of \$97,773.50, with the following firm: Midway Chevrolet, Phoenix, Arizona. (Police Department, Fleet Services - #2011000448 (Jerry Geier/Charlie Caudill)

**APPROVED 5. Letter of Exemption: Arizona Department of Transportation**

Authorize City Administrator to sign the required Arizona Department of Transportation exemption approval on behalf of the Yuma City Council. (Police/Administration) (Jerry Geier)

**APPROVED 6. Parks Special Use Permit: Colorado River Tubing Adventures**

Authorize a Parks Special Use Permit for Colorado River Tubing Adventures to use City property to operate a commercial water tubing concession. (Parks & Recreation/Recreation) (Becky Chavez)

**APPROVED 7. Outside Agency Agreement: Yuma Fine Arts Association**

Authorize the execution of an agreement between Yuma Fine Arts Association and the City of Yuma providing for Fiscal Year 2011-2012 funding by the City of Yuma in the amount of \$31,500.00 and setting performance standards for Yuma Fine Arts Association. (Parks & Recreation/Arts and Culture) (Becky Chavez)

**APPROVED  
AS  
AMENDED 8. Outside Agency Agreement: Greater Yuma Economic Development Corporation**

Authorize the execution of an agreement between Greater Yuma Economic Development Corporation and the City of Yuma providing for Fiscal Year 2011-2012 funding by the City of Yuma in the amount of \$200,000.00 and setting performance standards. (City Administration) (Gregory K. Wilkinson)

**APPROVED 9. Outside Agency Agreement: Humane Society of Yuma, Inc.**

Authorize the execution of an agreement with the Humane Society of Yuma, Inc. which provides for Fiscal Year 2011-2012 funding by the City of Yuma and sets forth performance standards in exchange for the Humane Society of Yuma, Inc. serving as a City enforcement agent for animal control (City Administration) (Gregory K. Wilkinson)

**APPROVED 10. 2011 Community Development Block Grant (CDBG) Subrecipient Agreements and Community Based Development Organization (CBDO) Agreement**

Authorize the City Administrator to execute Subrecipient agreements and CBDO agreement in the amount of \$249,500.00 in accordance with the 2011 CDBG Action Plan. (City Administration/Economic Development) (Brant Hanson)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ VV/\_\_\_\_\_

**III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Resolution R2011-18 Approval of Election Board**

Approve the creation of an Election Board and appointment of Election Board Officers for the 2011 City of Yuma Primary and General/Special Elections to be held August 30, 2011 and November 2, 2011, respectively. (City Administration/City Clerk) (Lynda Bushong)

**ADOPTED B. Resolution R2011-19 Development Agreement: Harvest Power Community Development Group, Inc.**

Approve a Development Agreement with Harvest Power Community Development Group, Inc with attached lease for City property located at 1793 S. 1st Avenue. (Parks & Recreation/Administration) (Becky Chavez)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_

#### **IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Ordinance O2011-24 Annexation Area No. A2011-02: Premier Storage**

Authorize annexation of property located at the southeast corner of 32nd Street and Avenue 3¾E (A2011-002). (Community Development/Community Planning) (Laurie Lineberry)

**ADOPTED B. Ordinance O2011-25 Repeal Of The Arts and Cultural Facilities Development Fee**

Revise Yuma City Code Title 15, Chapter 157 to repeal Section 7, Arts and Cultural Facilities Development Fee. (City Administration) (Steven W. Moore)

**ADOPTED C. Ordinance O2011-26 Primary Tax Levy & Mall Maintenance District Property Tax Levy:**

Adopt the 2011-2012 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy (Finance/Administration) (Pat Wicks)

**RE-  
INTRODUCED  
AS  
AMENDED D. Ordinance O2011-27 Finalize Yuma City Charter Amendment Propositions and Order a Special Election**

Discuss, deliberate and finalize the ballot language of the Yuma City Charter amendment propositions and order a Special Election to be held in conjunction with the scheduled November 8, 2011 General Election for the purpose of proposing the amendments to the qualified electors of the City of Yuma. (City Administration/City Clerk) (Lynda Bushong)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

**M/\_\_\_\_\_ S/\_\_\_\_\_ RV/\_\_\_\_\_**

## V. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

### **INTRODUCED** A. Ordinance O2011-28 Waterline Easement: Beltran

Authorize the acquisition of easement right-of-way for waterline extension, operation and maintenance to serve 4767 West 16th Street properties (Beltran Lot Split). (City Engineering/Administration) (Paul Brooberg)

### **INTRODUCED** B. Ordinance O2011-29 Waterline Easement: Avenue 3E

Authorize the acquisition of easement right-of-way along Avenue 3E, between 12th and 14th Streets, for a waterline extension, operation and maintenance. (City Engineering/Administration) (Paul Brooberg)

## VI. PUBLIC HEARINGS & RELATED ACTIONS

### **PUBLIC HEARING HELD** A. Annexation Area No. A2011-01: Peterson

This is a public hearing to consider an annexation of two properties generally located at the northeast corner of Letvin Avenue and 20th Street. (Community Development/Community Planning) (Laurie Lineberry)

## VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

### 1. Appointments:

**APPOINTMENTS  
MADE**

- Parks, Arts, and Recreation Commission: 3 appointments to expire on 12/31/2012 and 3 appointments to expire on 12/31/2015.

### 2. Announcements:

**REPORTED**

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the

period of June 16, 2011 through July 6, 2011. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

NOT REPORTED

- City Council report of upcoming meetings.
  - City Council request for agenda items to be placed on future agendas.
3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

## VIII. SUMMARY OF CURRENT EVENTS

REPORTED

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

## IX. EXECUTIVE SESSION

EXECUTIVE  
SESSION HELD

An Executive Session may be held during this meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. Section 38-431.03 A(1), (3), (4), & (7). An agenda will be posted 24 hours in advance.

### ADJOURNMENT 6:35 p.m.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.